

June 10, 2020

The regular meeting of the Village of Cassadaga was held on June 10, 2020 at 7:00 PM with Mayor William Dorman presiding. Trustees present included Trustees Bill Astry, Cindy Flaherty and Rachyl Krupa. Absent: Deputy Clerk Bonita Mazzone, Trustee Theresa Seibert, and Supt. of Public Works Sam Alaimo. Also in attendance was Attorney Joe Calimeri.

Pledge of Allegiance

RESOLUTION # 71

APPROVAL OF MINUTES

A motion was made by Trustee Astry second by Trustee Krupa to approve the minutes of May 27, 2020. VOTE: 3 AYES, 0 NAYS

RESOLUTION # 72

APPROVAL OF AGENDA

A motion was made by Trustee Krupa, second by Trustee Flaherty to approve the agenda. VOTE: 3 AYES, 0 NAYS.

GUESTS- Mark and Tonia Wilson from Southern Tier Triathlon Club presented his Operating Plan in regard to COVID-19 protocols. His first event would be July 1, 2020 and would limit participants to 100. He would like to know as soon as possible if the plans meet their approval. Discussion held on particulars.

RESOLUTION # 73

APPROVAL OF SO. TIER TRIATHLON CLUB COVID 19 PROTOCOL

Trustee Krupa moved, second by Trustee Flaherty to approve So. Tier Triathlon Club COVID-19 protocol with two stipulations; 1) On condition no executive order changes to regulations, 2) Approval of Safety Plan from Chautauqua County is granted. VOTE: 3 AYES, 0 NAYS.

GUEST: Tami Wichlacz went over the Safety Plan that her and Trustee Flaherty submitted to Chautauqua County to open up the beach. This Safety Plans follow Phase 2 of COVID-19 and hopes that by the time they open we will be in Phase 3 with less restrictions. A new Safety Plan will need to be approved by the County before we follow those guidelines. They will have 1) Daily Temperature log of staff, 2) Wellness Log, 3) Cleaning Log, 4) No food concession at this time. There will be NO swimming lessons this year but have Safe Water classes weekly. The Safety Plan will be put on website for everyone to review.

GUEST: Nancy Wickmark attended to see how other businesses are opening up and what people do if people are not complying. She also explained to the Board the progress of the Planning Board on putting together a Comprehensive Plan before the Zoning and Building Code revisions are tackled. The response of the Survey has been great on

Survey Monkey and having residents return survey that was mailed with water bill and taxes. The committee is brainstorming on SWOT (strengths, weaknesses, opportunities, threats) in different categories such as Agriculture, Historic/Cultural/Archeological, Parks & Recreation, Environment, Demographics, Housing, Economy, Public Services, Transportation. Once the committee finishes the plan, they will meet with Zoning committee and then have board review it. It will also be sent to County Planning Board.

ATTORNEY JOE CALIMERI'S REPORT

- Inquired if Clerk received Notice wording that he sent for Public Hearing on removal of Cassatt from ZBA. Clerk stated that notices have been posted, in newspaper and Notice emailed and mailed to Matt Cassatt.
- He reviewed the correspondence regarding Local Law 1 of 1990 in respect to solid waste and spreading liquid manure in village. Unfortunately, the Farm Act supersedes our Local Law. There is a procedure to follow for residents to file a nuisance complaint to the County. However, he tried finding out who to send complaint to in the County, but no one seems to know.
- He reported that the response from the NY Coalition of Local Governments was incorrect. There is nothing in Open Meeting Law that a transcript or video has to be supplied. The village continued having open meetings as always and was not required to have electronic meetings.
- Has not heard from Attorney for Pomfret about Town of Pomfret Water Agreement. He sent letter/email on April 1, April 17th and May 15th but have not had any response.

MAYOR DORMAN'S REPORT:

Item #1 (Update)

- Local laws review – Next meeting TBD due to Covid-19 delays.
- Some of the same volunteers involved in Zoning Laws revision.

Item #2 (Update-(Chautauqua Hilltop Organic & Eden Valley Organics Letters)

- Letter was issued to Eden Organics on May 15th by me did not receive a response.
- Ryan Burlingame confirmed manure has been spread on 5/26 and was chicken manure (picture with feathers). This was adjacent to his driveway on a day that was 80 degrees.
- Joe, is there further information on additional options?

Item # 3 (Update-)

- Observer Article "County Government Boards Praised, Criticized for Openness.

- I did compose a letter to the Dunkirk observer and the NYCOG to point this out and ask them to retract the results or do the study over.
- Paul Wolf answered me saying that NYCOG did not rate Cassadaga with an “F” that was done by the Observer
- Paul further stated in another e-mail that even though we don’t teleconference that it is his understanding that we must post a video of the V/B meeting on our website.
- This understanding is also in error which Joe has confirmed and will comment further.
- Have had no correspondence or rebuttal from the Observer.

New Correspondence:

Item # 4

- Received a copy of survey for Chautauqua Water & Wastewater Cooperative involving a lengthy list of information needed.
- Offered to help Sam in completing this.

Item #5

- Southern Tier West letter regarding membership invoice
- Action? Provided to Roxanne.

Item #6

- Public Hearing “Removal for Cause” (July 8th)
- Working on my script to conduct this, will collaborate with Joe on my responsibilities to conduct.
- Note-V/B quorum in attendance required

CLERK TREASURER ASTRY REPORT:

- Requesting approval to do Budget Adjustments for Fiscal Year End that was distributed to board to balance budget.
- Requesting approval to adjust water bill for Dave and Cam Lawton, 150 Maple Avenue. They sent in water reading card and it read 2096 and was billed for 76,000 gallons at cost of \$304. Utility Worker Rob DeGolier went and read the meter after they called, and it should have been 2036. Thus, they were over billed by \$ 240.00 and asking for adjustment.
- She read report from Building Code Enforcement Officer Wendy Spinuzza, 13 building permits issued to date for 2020, resuming Fire inspections with 7 left to do. Has been doing webinars and online mandatory classes and has passed test with 95.
- Reported that Fiscal Year End is closed, and we are in 2020-2021 year now.

RESOLUTION # 74

APPROVE BUDGET ADJUSTMENTS

Trustee Astry moved, second by Trustee Krupa to approve the following budget adjustments: VOTE 3 AYES, 0 NAYS.

GENERAL FUND

INCREASE A.1420.100 LAW PERSONAL	\$ 1009.25	
DECREASE A.1410.100 CLERK PERSONAL		\$ 1009.25
INCREASE A.4020.100 REGISTRAR OF VITALS	10.00	
INCREASE REVENUE A.1603 VITAL STATISTIC	10.00	
INCREASE A.5110.430 ST. MAIN STORAGE BARN	\$ 224.69	
DECREASE A.5110.400 ST.MAINT.CONT		224.69
INCREASE A.7310.410 BEACH UTILITIES	.06	
DECREASE A.7310.400 BEACH CONT.		.06
WATER FUND		
INCREASE F.8310.100 ADM. PERSONAL SERVICE	.12	
DECREASE F.8310.400 ADM. CONTRACTUAL		.12
INCREASE F.8320.430 WATER STORAGE BARN	224.68	
DECREASE F.8340.400 TRANS,DIST. CONT.		224.68

RESOLUTION # 75

APPROVE ADJUSTMENT OF WATER BILL

Trustee Flaherty moved, second by Trustee Krupa to adjust water bill of Dave Lawton, 150 Maple Avenue for overbilling of \$240 due to incorrect water reading mailed. VOTE: 3 AYES, 0 NAYS.

DEPUTY CLERK MAZZONE REPORT: Absent

SUPT. OF PUBLIC WORKS SAM ALAIMO'S REPORT: Absent

TRUSTEE ASTRY'S REPORT

- He is waiting on getting 2nd quote for new man door going into fire hall because it is all rusted out. He recommends removing the step and lowering the door.
- He has reviewed Zoning fees with Wendy; Building Code Enforcement Officer and proposes the Fee Schedule that was distributed.

RESOLUTION # 76

NEW FEE SCHEDULE FOR INSPECTION AND BUILDING CODE

Trustee Astry moved, second by Trustee Flaherty to adopt the attached fee schedule effective June 11, 2020 for Inspection/Building Code fees. VOTE: 3 AYES, 0 NAYS.

**VILLAGE OF CASSADAGA
INSPECTION/BUILDING CODE FEES
EFFECTIVE JUNE 11, 2020**

Additions/Alterations	\$ 35.00 + .08 Sq. ft
Certificate of Occupancy-Residential	\$ 25.00
Certificate of Occupancy-Commercial	\$ 30.00

Commercial Building	\$.15 Sq. Ft.
Demolition	\$ 25.00 + Asbestos
Deck	\$ 35.00 + .08 Sq. Ft
Fences-Non Agriculture (above 6'4")	\$ 35.00
Fire Inspections - Commercial	\$ 40.00
Fire Inspections- 3 or more Apartments	\$ 20.00 per Apt.
Garage/Pole Barn/Accessory Bldg.	\$ 50.00
New Home	\$100.00 + .08 Sq. Ft
Operating Permit	\$ 25.00
Miscellaneous	\$ 25.00
Public Hearing for Permit	\$ 75.00
Roof-once over/ tear off resheet	\$.00/.08 Sq. Ft.
Signs-up to and including 4'X6'	\$ 25.00
Signs-larger than 4'X6'	\$ 40.00
Solid Fuel Burning Appliances	\$ 25.00
Swimming Pool-Above	\$ 25.00
Swimming Pool-in ground	\$ 50.00
Work Without a Permit	\$ Double Fee

Notwithstanding any other provisions of this law, fees for all matters covered by this Zoning Law, as amended from time to time shall be fixed by resolution of Village Board of the Village of Cassadaga.

TRUSTEE FLAHERTY'S REPORT:

- She reported that Trustee Krupa and she did interviews for beach staff and Director and needs approval.
- Beach will be open June 27th through August 22nd with beach open form Noon until 6 PM.
- A Water Safety course will be done once a week and there will be no swimming lessons.
- She checked out the dock at Lakes End that are willing to donate to the village. It is in good shape and recommends that we put it in over near the bathrooms so boats can dock during concerts. She will check with Cassadaga Lakes Association if they will maintain it.

RESOLUTION # 77

APPROVE BEACH STAFF

Trustee Flaherty moves, second by Trustee Krupa to approve Beach Staff as follows: Beach Director; Tammie Wichlacz, Lifeguards; Abigail Bailey, Isabel Bailey, Josephine Bailey, Madalyn Bowen, Madelynn Lisciandro, and Kristin Wise. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 78

ACCEPT DONATION OF DOCK

Trustee Flaherty moved, second by Trustee Krupa to accept donation of dock from Lakes End pending approval of Cassadaga Lakes Association willing to maintain. VOTE; 3 AYES, 0 NAYS.

TRUSTEE SEIBERT'S REPORT: Absent

TRUSTEE KRUPA'S REPORT:

- She is on board to help at beach this summer.

RESOLUTION # 79

MOVE INTO EXECUTIVE SESSION

Trustee Astry moved, second by Trustee Krupa to Move Into Executive Session to discuss litigation at 8:17 PM. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 80

COME OUT OF EXECUTIVE SESSION

Trustee Astry moved, second by Trustee Flaherty to Come Out Of Executive Session at 8:39 PM. VOTE: 3 AYES, 0 NAYS.

RESOLUTION # 81

APPROVAL OF THE FINANCIAL STATEMENTS

Trustee Krupa moved, second by Trustee Astry to approve the Financial Statement for May 31, 2020 Fiscal Year End and June 10, 2020. VOTE: 3 AYES, 0 NAYS.

FISCAL YEAR END:

GENERAL FUND:	\$ 187,454.96
WATER FUND	\$ 145,920.43
RESERVE CVFD EQUIPMENT	\$ 20,374.87
RESERVE DPW	\$ 27,700.41
RESERVE WATER REPAIRS	\$ 50,164.23
RESERVE FOR DEBT SERVICE	\$ 247,202.36

JUNE 10, 2020

GENERAL FUND:	\$ 215,160.78
WATER FUND	\$ 159,690.53
RESERVE CVFD EQUIPMENT	\$ 20,374.87
RESERVE DPW	\$ 27,700.41
RESERVE WATER REPAIRS	\$ 50,164.23
RESERVE FOR DEBT SERVICE	\$ 247,202.36

RESOLUTION # 82

APPROVAL OF THE BILLS AND PAYROLL

A motion was made by Trustee Krupa, second by Trustee Flaherty to pay the following: VOTE: 3 AYES, 0 NAYS.

Payroll of June 12, 2020 General Cks: 5521-5523	\$ 2,532.73
Payroll of June 12, 2020 Water Cks: Direct Dep.	\$ 2,161.74
Abstract of May 29, 2020 General Cks: 8882-8891	\$ 4,266.03
Abstract of May 29, 2020 Water Cks: 8882-8891	\$ 3,660.01
Abstract of June 10, 2020 General Cks: 8892-8894	\$ 2,707.56
Abstract of June 10, 2020 Water cks: 8892-8894	\$ 2,361.30

Being no further business, Trustee Astry moved to adjourn the meeting, second by Trustee Krupa at 8:47 PM. VOTE: VOTE: 3 AYES, 0 NAYS.

Respectfully submitted,

**Roxanne Astry
Clerk Treasurer**

